

**MINUTES**  
**Montana Fish, Wildlife & Parks**  
**Commission Conference Call Meeting**  
**1420 East 6<sup>th</sup> Avenue – Helena Headquarters**  
**Helena, MT 59620**

**AUGUST 27, 2009**

**Commission Members Present:** Bob Ream, Ron Moody, Willie Doll.

**Fish, Wildlife & Parks Staff Present:** Director Joe Maurier, Art Noonan, Dave Risley, Jeff Herbert, Chas VanGenderen, Regena Peterson.

**Topics of Discussion:**

- 1. Opening – Call to Order**
- 2. 2009 Late Season Migratory Bird Seasons - Final**
- 3. 2009 CS&KT Upland Game Bird and Waterfowl Regulations – Endorsement**
- 4. Swift Fox Translocation to the Fort Peck Indian Reservation – Final**
- 5. Stipek Fishing Access Site – 777 Properties Addition – Endorsement**

**1. Call to Order.** Acting Chairman Ream called the Commission conference call meeting to order at 9:00 am.

**2. 2009 Late Season Migratory Bird Seasons – Final.** Jeff Herbert, FWP Assistant Wildlife Bureau Chief, explained that the late season migratory bird hunting regulations pertain to ducks, geese, swans and coots. Montana participates in both the Central and Pacific flyways and adheres to the federal frameworks established by the flyway councils. Frameworks are based on population status obtained from winter surveys for geese, and from May surveys for ducks. Harvests are adaptive to conditions, and based on specific regulation packages which are restrictive, moderate, or liberal. No changes are recommended to the tentatives.

*Action; Doll moved and Moody seconded the motion to adopt the Final Late Season Migratory Bird Seasons and language as proposed by FWP. Motion carried.*

**3. 2009 CS&KT Upland Game Bird and Waterfowl Regulations – Endorsement.** Jeff Herbert, FWP Assistant Wildlife Bureau Chief, explained that FWP has entered into a joint Flathead Reservation Management Agreement with the CS&KT. They submit their proposed regulations to FWP for endorsement after approval by the Flathead Reservation Fish and Wildlife Board and the CS&KT Tribal Council. Their regulations are similar to those of FWP with the exception that their shooting hours are sunrise to sunset, and they only allow non-toxic shot to be used on the Reservation. FWP recommends approval.

*Action: Moody moved and Doll seconded the motion to endorse the Confederated Salish and Kootenai Tribes' upland game bird and waterfowl regulations as presented subject to final Tribal Council approval. Motion carried.*

Moody asked if FWP has reciprocal agreements such as this with other tribes. Herbert replied not to the same degree as with the CS&KT.

**4. Swift Fox Translocation to the Fort Peck Indian Reservation – Final.** Jeff Herbert, FWP Assistant Wildlife Bureau Chief, stated that in 2006 the Commission endorsed the translocation of ten swift fox from Montana's north-central core population to the adjacent Fort Peck Indian Reservation (FPIR). Funding for the project was provided by a federal Tribal Wildlife Grant. As of spring 2009, three swift fox were being monitored by tribal wildlife officials within the boundaries of the Reservation, including one from the original release. Reproduction has also been documented. The Reservation is now requesting a second translocation of thirty swift fox, during 2009, after they secure another TWG grant. If the Commission endorses this proposal, FWP will facilitate the completion of an EA, guide FPIR through the animal handling protocol, and act as liaison to contract local trappers to capture foxes. FWP will prepare an Environmental Assessment for the proposed transplant and send it out for public comment.

*Action: Doll moved and Moody seconded the motion to approve that FWP coordinate the translocation of up to 30 swift fox from north-central Montana to the Fort Peck Indian Reservation as recommended by FWP. Motion carried.*

Doll stated that he and Pat Gunderson had discussed transplanting the swift fox on the eastern edge of the reservation so they don't return immediately to their original location. The last transplant was at Porcupine Creek near Nashua, which was close to their native territory, therefore easy to return to. Gunderson has agreed that the Region will work with the Tribe to release them in a different, more remote area.

**5. Stipek Fishing Access Site – 777 Properties Addition – Endorsement.** Chas VanGenderen, FWP Parks Division Administrator, explained that this 76-acre parcel, owned by the 777 Properties, adjoins the 35-acre Hagenston parcel near Glendive that was approved for purchase by the Commission on August 13 for development of the Stipek Access Site. Prior to approval of the Hagenston property, the 777 Properties were not interested in selling their land, however they have since changed their minds. The site consists of cottonwood and green ash, wet meadows, and cropland. It would provide access to great hunting and fishing opportunities. Acquisition of this parcel would increase the size of the Stipek FAS to 110 acres, doubling the length of Yellowstone River shoreline to over ½ mile. The acquisition would also give FWP sole ownership of the private access road that leads to the site.

Moody asked what the cost of this acquisition would be, and if this is a different source of money than the money used to purchase the Plum Creek land.

VanGenderen said the Hagenston property appraised at \$4,800 per acre, but this piece should appraise at approximately \$4,300 per acres since it is a larger parcel and not located entirely along the river. Both the Plum Creek land and this land would be purchased with Access Montana funds.

Moody suggested a work session where FWP can provide information on the various sources of money, what the land purchase priorities are, and who sets those priorities.

Director Maurier stated that the FWP Lands Unit is developing a chart that indicates where the funding comes from, what is available, and what has been spent. The Access Montana has a balance of \$4 million, of which \$2 million is targeted for the Plum Creek acquisition. The Willow Round property is not available at this time so the money intended for that purchase has been freed up.

*Action: Moody moved and Doll seconded the motion to authorize the Department to pursue acquisition of the 777 Properties parcel as a potential addition to the Stipek Fishing Access Site along the Yellowstone River north of Glendive. Motion carried.*

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Maurier said information on the wolf hunt and delisting decision will be forwarded to the Commission as soon as we hear anything. It may be as soon as Monday evening if the judge rules from the bench. The Court didn't ask FWP to be part of the hearing on Monday, however we will submit briefs. The supposition is that the judge has already made up his mind.

Ream said theoretically the judge will read the briefs, but it is disappointing he won't let the state speak at the hearing.

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*Action: Doll moved and Moody seconded the motion to adjourn. Motion carried.*

The conference call meeting adjourned at 9:20 a.m.

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**Bob Ream, Acting Chairman**

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**Joe Maurier, Director**